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REPORT OF THE SECURITY COUNCIL

SECURITY COUNCIL
Fifty-third year

Letter dated 27 March 1998 from the Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General

I have the honour to enclose the assessment of the work of the Security Council for the month of December 1997 under the presidency of Costa Rica, in accordance with the agreement contained in the note by the President of the Security Council of 12 June 1997 (S/1997/451), together with an introductory note.

This assessment has been made under my responsibility. It is intended to have an informative purpose and should not necessarily be considered as representing the views of the Security Council or of its members.

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 11, and of the Security Council.

(Signed) Fernando BERROCAL-SOTO
Ambassador, Permanent Representative

ANNEX

Letter dated 6 March 1998 from the Permanent Representative of Costa Rica to the United Nations addressed to all Permanent Representatives and Permanent Observers to the United Nations

I have the pleasure to enclose the assessment of the work of the Security Council for the month of December 1997, which my delegation has prepared under my responsibility in accordance with the note of the President of the Security Council of 12 June 1997 (S/1997/451).

Please note that this document has not been agreed among Council members. The assessment of the work represents the views of the Costa Rican delegation while exercising the presidency of the Security Council for the month of December 1997 and not the views of the members of the Council.

My delegation is pleased that this practice has been adopted and that it has been followed by the majority of the members of the Council, making it a means of informing the entire membership of the United Nations about the activities the Security Council undertakes.

(Signed) Fernando BERROCAL-SOTO
Ambassador, Permanent Representative

APPENDIX

Introduction

This document contains the report prepared by the Delegation of Costa Rica while exercising the Presidency of the Security Council of the United Nations during the month of December 1997 and has been prepared under the responsibility of Ambassdor Fernando Berrocal-Soto, Permanent Representative of Costa Rica. This document should not be considered to represent the views of the Security Council nor of its Members.

During the month of December, the Council held nine formal meetings and an open debate on the situation in Bosnia and Herzegovina. The Minister of Foreign Affairs of Costa Rica, Dr. Fernando Naranjo Villalobos presided over the formal meeting and open debate on the situation in Bosnia and Herzegovina on December 19. During the Presidency of Costa Rica the Council adopted five resolutions and four presidential statements.

General Comments

The Presidency of Costa Rica endeavored to work on the basis of the principles of transparency and openness. In this regard, it followed the practice of adding, when possible, to the agenda of informal consultations published in the daily journal of the United Nations the issues to be taken up under the item of other matters. At the same time, it briefed the Delegations Members of the Organizations immediately after consultations of the Council had taken place. The President gave statements to the press after the informal consultations of the whole regarding the items taken up, as advised by the Members of the Security Council.

The Presidency of Costa Rica gave particular attention to the issue of "working methods of the Security Council" and included on agenda for December the holding of informal consultations of the whole on this matter. During that meeting, the elected members of the Security Council presented for the consideration of the Council a "position paper on the working methods of the Security Council" annexed to a letter, dated 22 of December 1997, which contains a series of comments and proposals for the democratization and improvement of the methods of work and desicion making in this principal organ of the United Nations.

It is the opinion of the Delegation of Costa Rica that this issue constitutes a key element in for the reform of the Security Council, which is being discussed in the Open-Ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council, of the General Assembly. Costa Rica considers that the reform of the methods of work of the Security Council and approval of its definitive rules of procedure constitutes a most important element of the process of reform of the Security Council. In this regard, the position paper prepared by the elected members of the Council, which is attached to this document, is of extreme importance.

Like in the previous months, African issues dominated the agenda of the Council. Some other issues of especial importance like the situation in Iraq, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Croatia, Cyprus, Afghanistan and Tajikistan were also subject of discussions.

1-Working Methods of the Security Council

On December 23, members of the Security Council met in informal consultations of the whole on the working methods of the Security Council and discussed the position paper prepared by ten of its member on that issue, which was annexed to a letter addressed to the President of the Security Council dated 22 December 1997. Some members stressed the fact the they were presenting only preliminary views.

Some members questioned the convenience of discussing this issue when it was being discussed both by the Open-Ended Working Group on the Reform of the Security Council and by the Charter Committee. They argued that it might be prudent to wait for a conclusion of the discussions that were being held at those other organs. Other members pointed out that the Security Council is the master of its own procedure and that, in consequence, it has the right and the obligation to consider any possible improvements to its methods of work.

Some of the authors of the proposal expressed that it was directed to improve the efficiency of the decision-making procedures of the Security Council and to increase the transparency and democracy in its action. It was mentioned that an improvement in the methods of work could increase the legitimacy and the leadership of the Security Council action before the International Community. Those members further explained that there are loopholes in the current provisional rules of procedure and that it is necessary to respect fully both the letter and the spirit of the provisions of the Charter regarding the procedure of the Security Council. They also stressed the need to adopt definitive rules of procedure for the Security Council.

Some members recognized the importance of ensuring the proper balance between the goal of transparency and the need for efficiency in the working of the Security Council. In this regard, some members stressed that the delicate nature of the issues regarding international peace and security and the crisis circunstances that usually surround the items in the agenda of the Security Council require a particular degree of confidentiality and efficiency.

Some members also mentioned that some of the proposals included in the position paper were already in practice, while much of the success of the Security Council during the last years was due to the consensus procedure usually used according to which agreements are made confidenctially instead of having procedural disputes in formal meetings. Some members insisted that a realistic approach must be used in order to reform the working methods of the Security Council and that any reform of those procedures requires the agreement of all members.

Several members presented diverging views regarding the modalities for the participation of States non members of the Security Council and of Non Governmental Organizations in its work.

It was decided that the Informal Working Group of the Security Council concerning the Council's Documentation and Other Procedural Questions would continue to consider these issues.

2-AFRICA

Democratic Republic of the Congo

On December 3, Assistant Secretary General Fall briefed Council Members on the status of the investigative team. After overcoming the difficulties with the authorities in Kinshasa, the Secretary-General sent a letter to President Kabila expressing to him gratitude for receiving the team and for allowing them to perform their respective mandate. In his letter, the Secretary-General informed that, because of the delay in the deployment of the investigative team, its mandate needed to be extended until May 1998.

Regarding the current situation in the DRC, Mr. Fall added the Government of President Kabila had established a liaison committee to work with the investigative team and that a Conference of the Friends of the DRC was scheduled to take place in Brussels on the 4 of December. This

Conference was going to discuss further aid in the economic and social fields. The United Nations was going to be represented by the UNDP.
Regarding the political situation the Government was not allowing the participation of opposition political parties. The economic crisis was affecting the security situation in the DRC since there were no funds to pay civil servants.
The Delegations of the Council Members expressed their concern with the situation.

Rwanda

On December 8, the President of the International Tribunal, Mr. Laity Kama, was invited to address the Council Members during informal consultations of the whole.

Mr. Kama provided a brief history of the Tribunal and emphasized on the tribunal's need for additional resources and personnel in order to work effectively. He reminded the members that the Council, in resolution 955(1994) which established the Tribunal, decides to consider increasing the number of judges and Trial Chambers if it becomes neccesary. He added that, to that date, 23 persons had been indicted in Arusha and that, due to the cooperation of several states, a number high ranking officials had been captured and were awaiting trial.
Mr. Kama referred to his request for the creation of a new chamber and for hiring more personnel. He also mentioned the possibility of hiring ad-hoc judges, which that could be less expensive. At the time, two trials were taking place in the permanent chamber, and a third one was being held the provisional chamber. A second permanent chamber is scheduled to be constructed this year in order to hear three trials at the same time.
Mr. Kama made special emphasis to the problems regarding the protection of witnesses, necessary before, during and after the trial.
Delegations of the Council Members agreed to continue consultations for the consideration of this matter.

On December 15th, Assistant Secretary General Fall briefed Council Members on the massacre of 300 people in Mundede. Mr. Fall explained that the political situation in Rwanda needed to be taken into account. He pointed out that special attention should be given to the economic and social impact of the return of over a million refugees, many of whom bring arms with them, the fact that a minority composed of the 15% of the population rules over the majority, the tension between Rwanda and the Democratic Republic of the Congo, and the uncontrolled ethnic problem.
The President of the Council delivered a press statement expressing the members' concerns regarding the deterioration of the situation in Rwanda and urging the Government to respect Human Rights and to cooperate with the United Nations High Commissioner for Refugees.

Angola

On December 10th, Under Secretary General Miyet presented the report of the Secretary-General (S/1997/954).
Since the date when the report was issued, the Special Representative of the Secretary-General, Metre Beye, met with President Dos Santos to evaluate the progress of the peace process. The meeting between President Dos Santos and Mr. Savimbi had not been scheduled. The movement of MONUA's personnel continued to be restricted, and they faced problems in carryng out their mandate. MONUA continued to monitor the disarmament process and, on December 8, ended the demining process . The members of the Council agreed with the reccomendations of the Secretary-General and stressed that a dialogue between the parties needed to be established.

Central African Republic

On December 10th, Under Secretary General Miyet presented the report from the International Monitoring Committee (S/1997/954). He highlighted the most important points of that report and the success of preventive diplomacy. The problems of internal security needed to be solved in order to allow the implemetation of the Bangui agreements. The repatriation of refugees to the Republic of Congo had started. A multidisciplinary mission formed by technical officers from several UN departments had gone to the CAR a week before to evaluate the situation, especially in its military aspect. A follow up was going to be given by high level officers and leaders of the region and a final report was to be presented to the Council in January.

The President delivered a press statement urging the parties in CAR to comply with the Bangui Agreements and to cooperate with MISAB.

Burundi

On December 11th, the Members of the Security Council was briefed by Under Secretary-General Prendergast. He explained that the situation had been eased after the Dar-es-Salam Summit in September 1997 and that a new phase had began. Political tensions continued in the community as well as between the Parliament and the Government. The main concern at the time was the deterioration of the relations between Tanzania and Burundi.

The Arusha process was stalled and former President Nyerere, the head mediator, expressed that he will not continue his mediating efforts until Burundi was willing to cooperate. The Government of Burundi requested the establishment of an International Tribunal but this proposal was not been considered. In the meantime, trials and executions continue under the local judicial system.

The Secretary-General decided to send a fact finding mission to the border between Tanzania and Burundi. Burundi agreed to allow the mission to carry out their investiagations while Tanzania requested more clarification on its purpose.

The Department of Humanitarian Affairs sent a mission to investigate the impact of the regional sanctions on the population.

The Members of the Council expressed their concern for the impasse in the negotiation process.

The President made a statement to the press on this matter.

Sierra Leone

On December 11th, Under Secretary General Miyet presented the report of the Secretary-General (S/1997/958).

Mr.Miyet said that there were problems with the implementation of the military aspects of the Conakry Agreements and that, although there was a cease fire in place, the fighting continued, mainly between the RUF and the Kamajors.

The Special Envoy of the Secretary-General, Mr. Okello, was scheduled to meet in Abuja with the Foreign Minister of Nigeria, the Executive Secretary of the ECOWAS and with the Head of ECOMOG. He was also supposed to attend the meeting of the Committee of Five of ECOWAS in Lome.

In his report, the Secretary-General recommended opening an office in Freetown to cover the military, political and humanitarian problems and to work with all the parties.

The Security Council supported the recomendations of the Secretary-General and the work of the Special Envoy.

The President made a statement to the press on this issue.

Liberia

On December 15th, Assistant Secretary General Fall briefed the Council Members on the recent events in Liberia. He informed that the policy of reconciliation continued under the Government of President Taylor and that all political parties had occupied their seats in the legislative bodies. Many opposition leaders had been appointed to high level positions.

He also informed that there were tensions between the Government of Liberia and ECOWAS.

Mr. Fall indicated that the United Nations office was going to be open in 1998 and Mr. Felix Dorsen Thomas was appointed Representative of Secretary-General to Liberia.

The Council requested that the Secretariat provide a report of the impact of the situation in the region and the lifting of the arms embargo in Liberia.

Somalia

The Council Members received a briefing from the Secretariat, as well as from the Egyptian Permanent Representative, on the outcome of the Cairo Conference.

On December 23rd, the Council adopted a presidential statement (S/PRST/1997/57). The Council welcomed the agreements reached at the conference, as well as other efforts made by the countries of the region and international and regional organizations. It the same statement the Council also urged the parties to comply with the Cairo Accords, and reiterated its call upon States to fulfill their obligations to implement the general embargo imposed by resolution 733 (1992).

3-EUROPE

The Former Yugoslav Republic of Macedonia

On December 3rd, the Members of the Security Council discussed the report of the Secretary General (S/1997/911) and add.1. The Delegation of Portugal as a coordinator of the CCP introduced a draft resolution.

On December 4, the Security Council met in a formal meeting and adopted resolution 1142(1997) in which the Council extended the mandate of UNPREDEP for a final period until 31 August 1998.

Croatia

On December 4th, the Security Council Members examined the report of the Secretary General on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium, (S/1997/953).

Under Secretary General Miyet informed the Security Council Members of the Secretary General's recommendations on the establishment of a civilian component of 180 men after the mandate of UNTAES finished on January 15, 1998.

On December 19, the Security Council met in a formal meeting and adopted resolution 1145(1997) approving a new civilian component for a 9 months period beginning on January 16, 1998.

Bosnia and Herzegovina

On December 16th, the Security Council Members examined the report of the Secretary General on the United Nations Mission on Bosnia and Herzegovina, (S/1997/966).

Assistant Secretary General Annabi, explained the situation in the country and the recommendations of the Secretary-General. He highlighted two main issues: Judicial reform and financial crimes. He also indicated that the Bonn Conference on these issues had taken place.

Portugal as coordinator of the CCP prepared a draft resolution on the extention of the mandate of UNMIBH. During consultations, the Members of the Council decided to hold an open debate on this issue.

On December 18th, the Security Council met in a formal meeting and held an open debate on Bosnia and Herzegovina. After the general debate, the Security Council adopted resolution 1144(1997) approving the extention of UNMIBH for an additional 6 months period until June 21, 1998.

Cyprus

On December 2nd, Mr. Diego Cordovez, the Special Representantive of the Secretary General in Cyprus, briefed the Security Council Members on the current situation in Cyprus.

Mr. Cordovez informed the Security Council Members that on the five main issues to be discussed once the negotiations between the parties were to be resumed: the Constitution, security, territorial issues, displaced persons and properties, and economic and financial cooperation.

The Security Council Members also examined the report of the Secretary-General on the United Nations Operations in Cyprus (S/1997/962), and the report of the Secretary-General on his mission of good offices on Cyprus (S/1997/973).

On December 23rd, the Security Council adopted resolution 1146(1997) approving the extension of the mandate of UNFICYP for an additional 6 month period, until June 30, 1998.

4-MIDDLE EAST

Iraq

During December, the Security Council Members held 5 meetings of informal consultations of the whole on Iraq.

"Oil for Food"

The Secretary General submitted a report (S/1997/935) to the Council Members in which he recommended an extension of resolution 986(1995).

On December 4, the Secretary-General briefed the Council Members on this matter. Council members discussed a draft resolution on Iraq, considering the extension of resolution 986 (1995). After informal consultations, the Members of the Council adopted a roll-over resolution 1143(1997), in which it decided to extend the mandate of the disposition of resolution 986 for an additional period of 180 days. The President of the Security Council made a press statement to the press following that meeting.

Special Commission (UNSCOM)

The Security Council paid close attention to the developments regarding the activities of the Special Commission and acted upon them.

On December 3, the Security Council adopted a presidential statement (S/PRST/1997/54) where it endorsed the conclusions and reccomendations of the report of the emergency session of the Special Commission aimed at full and expeditious implementation of the relevant resolutions and at increasing the efficiency and effectiveness of UNSCOM work to this end. It reiterated its demand for Iraq to fulfill all its obligations established under the relevant resolutions, cooperate fully with UNSCOM and the IAEA, and provide all the information requested by UNSCOM. Immediate and unrestricted access to all sites was again demanded. The members also welcomed the progress achieved by UNSCOM and the IAEA in some disarmament areas.

On December 8th, Council members were briefed by Ambassador Butler, Executive Chairman of UNSCOM, regarding his next visit to Baghdad. During the discussions, Council members expressed their appreciation for the efforts of the Special Commission and its Executive Chairman, and expressed their full support for its coming mission. The President made a statement to the press after the consultations.

On December 18th, once Ambassador Butler had returned from his trip to Baghdad, he presented a report on the outcome of his mission to Iraq. Ambassador Butler informed Council Members that he was planning his next visit to Baghdad on January 19. The delegations presented their comments and planned to hold further consultations. The President made a statement to the press after the consultations.

Ambassador Butler briefed the Council members again on December 20, regarding some talking points provided by the by the Permanent Representative of Iraq to the members of the Council on the progress of the conversations between UNSCOM and the Iraqi authorities, in response to Ambassador Butler's report.

On December 22nd, the Security Council adopted a presidential statement (S/PRST/1997/56), in which it reiterated its demands that Iraq should cooperate fully with the Special Commission in accordance with the relevant resolutions, and that Iraq should grant immediate and unconditional access to the Special Commission inspection teams. The Security Council stressed that failure by Iraq to provide this access is unacceptable. It acknowledge that discussions between the UNSCOM and the Iraqi officials were continuing on practical arrangements for implementation of all its relevant resolutions. It also expressed its full support to the Special Commission and its Executive Chairman, including the ongoing discussions with the Iraqi officials

5-ASIA

Afghanistan

On December 15th, 1997, during an informal meeting, the Special Representative of the Secretary-General, Mr. Brahimi, updated the Security Council Members on the situation in Afghanistan since the last report of the Secretary General was issued. He said that the Talibans continue to rule two thirds of the territory and there had been no changes in the military situation. He pointed out that it was expected that the winter would prevent the factions to engage in major fights. He said that there continue to be problems in the leadership, confrontation grew between the two main leaders (Dustom and Malik). A positive event was the exchange of war prisoners between the two factions.

The bodies of 2,000 Taliban soldiers were found. Mr. Brahimi said that it was believed that General Malik was responsible for their death. A Mission was sent to investigate this crime. The human rights situation kept deteriorating and the Talibans continued to prevent the proper distribution of humanitarian assistance. He informed that drug production and trafficking continued.

On December 16th, 1997, the Security Council adopted a Presidential Statement on Afghanistan (S/PRST/1997/55), in which it reiterated its grave concern on the political, military and human rights situation in this country.

Tajikistan

On December 18th, 1997, Assistant Secretary General Annabi, briefed the Security Council Memberson the worsening of the security situation in Tajikistan, the security of the international personnel and humanitarian workers, and the hostage taking incidents that continued to occur in the region. The Members of the Council received information on the killing of a French relief worker.

The members of the Security Council expressed their concern for the delays in the implementation of the peace process and for the possible delays in the steps leading to the holding of free elections. The Members of the Council welcomed the success of the Vienna Donors Conference

The Members of the Security Council also called upon all the parties involved to be more active in fulfilling their commitments undertaken in the peace process and to refrain from any activities that would impede its implementation. They also made an appeal to the two parties to ensure the security of the United Nations' personnel and of all the international personnel.

A press statement was made.

ATTACHMENT

Position paper on working methods of the Security Council

1. The Security Council should proceed to finalize its provisional rules of procedure, including the new methods of work and the new practices which have been agreed upon and are being implemented, without prejudice to further improvement of the working methods of the Council and their flexible application.

2. Open public meetings should be held at any stage of the consideration of a subject, in lieu of informal consultations of the whole. Whenever necessary, the Council could meet in private formal sessions. Written records should be ensured for formal sessions of the Council, public or private. Informal consultations of the whole could be held whenever necessary but not as the main way for the Council to conduct its business. Orientation debates previously announced and with the participation of States not members of the Council should be held prior to the Council's taking a decision on a particular matter.

3. The Security Council should apply strictly the relevant provisions of the Charter of the United Nations and the Council's of procedure, particularly those related to ensuring that any Member of the United Nations and any State which is not a member of the United Nations as well as members of the Secretariat or any other person may participate or be invited to participate, as appropriate, in the discussion of any item before the Council and be given adequate opportunity to address the Council in an appropriate forum.

4. The Security Council should consider allowing States non-members of the Council to make statements at the meetings in which a statement is made by the President on behalf of members of the Council.

5. Meetings held under the Arria formula are designed to allow members of the Council to obtain information related to issues under consideration from any source, not least of a non-governmental nature. "Arria" meetings are not the privileged format for the Council to meet with representatives of States; formal meetings of the Council, according to the Charter and the existing provisional rules, are. By virtue of their informal character, "Arria" meetings do not require formal acquiescence by all members of the Council. However, all Security Council members should be encouraged to participate.

6. Briefings by the Secretary-General or any United Nations official acting on his behalf should, as appropriate, be made at a formal meeting of the Security Council in public or private session in accordance with rule 39 of the Council's provisional rules of procedure. Written records of such briefings should therefore be ensured.

7. Before the Security Council imposes sanctions on any member State or reviews sanctions imposed on any State, a formal meeting of the Council should be held as a general rule where opportunity should be given to the State or States concerned or the State under sanctions as well as other neighbouring and

interested States to present their views in accordance with Articles 31 and 32 of the Charter at an appropriate time.

8. Briefings by the President of the Security Council to the general membership should be substantive and conducted promptly after each informal consultation of the whole, including information on draft resolutions and/or presidential statements under consideration at such consultations. Members of the Security Council should be encouraged to follow a transparent approach with other States not members of the Security Council concerning the work of the Council with a view to benefiting from their views on subject matters under consideration.

9. The Sanctions Committees should further enhance transparency in their work through publishing the summary records for each meeting of the committees in a timely manner.

10. Consultations with troop-contributing countries should ensure more active participation of members of the Council as well as troop-contributing States through:

(a) The participation of potential troop contributors and other substantial contributors in the consultations in the preparatory phase of each operation as well as when the mandates of the operations are extended or changed;

(b) The preparation of a summary of the troop contributor consultations to be made available to all Member States; and

(c) The holding of presidential briefings for the general membership on the results of troop contributors' meetings.

11. Agenda items of formal Council meetings and informal consultations of the whole published in the Journal should be more specific.

12. The Council should make a tentative forecast of its programme of work more available to the general membership, as stated in the noted by the President in his note dated 27 July 1993, preferably as a document of the Security Council, and include the provisional monthly programme of work of the Security Council. In this regard, the Council should consider the programme of work for the month in a formal session.

13. An effective mechanism should be established to alert States non-members of the Council of emergency, previously unscheduled and/or weekend meetings of the Security Council. The Secretariat should undertake the necessary measures to this end.

14. The descriptive part of the annual report of the Council should include a factual summary of the discussions at the consultations of the whole on all issues considered by the Council, as well as a summary of the deliberations of the Sanctions Committees. Information regarding the substantive work of the subsidiary organs of the Council, including the Sanctions Committees, should be included in the annex to the annual report.

15. The Security Council should consider implementing the provisions of Article 24, paragraph 3, 22 December 1997, of the Charter by presenting special reports, when necessary, to the General Assembly. The Security Council should identify such necessary cases taking into account all relevant factors.